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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,535	08/23/2007	Gunnar Christer Hansson	06238LH	5427
1933 7590 04/30/2010 FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708				
EXAMINER				
PANG, ROGER L				
ART UNIT		PAPER NUMBER		
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04/30/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/574,535

Applicant(s)

HANSSON, GUNNAR CHRISTER

Examiner

Roger L. Pang

Art Unit

3655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2010.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 13-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

The following action is in response to the amendment filed for application 10/574,535 on April 5, 2010.

Claim Rejections - 35 USC § 103

Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacqui '136 in view of Baker '279, in further view of Shirokoshi '432. With regard to claim 13, Jacqui teaches a power tool comprising: a housing 3 with a rotation motor (Col. 1), an output shaft 17, and a reduction gearing connecting the motor to the output shaft; wherein the reduction gearing comprises a plurality of planetary gearing stages having a common ring gear 6/7 (Col. 2, lines 30-34) supported in the housing, and each one of the planetary gearing stages includes a sun gear 15/12, a planet wheel carrier 17b/14, and a plurality of planet wheel units 16/13 engaging the ring gear and the sun gear. Jacqui lacks the teaching wherein each of the planet wheel units of at least one of the planetary gearing stages comprises two axially spaced spur gears fitted to a common spindle. Baker teaches a similar planetary gearing comprising a ring gear 30, and planet gears 24/25 supported by a carrier 37 (connected to the output 21), wherein: each planet wheel unit comprises two axially spaced spur gears 24/25 mounted on a common spindle 26a; one of the spur gears being rigidly secured to the common spindle and said spindle is rotatively journaled relative to the planet wheel carrier 37 via a bearing 27. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jacqui to employ the dual spur gear planet gear and carrier/bearing arrangement in view of Baker in order to improve both the reliability by improving the work transmitted by the parts (Col. 1). Jacqui and Baker teach

the tool, but lack the specific teaching of said bearing 27 being a needle bearing. Shirokoshi teaches a similar transmission, wherein a needle bearing 41a is employed. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jacqui in view of Baker to employ a needle bearing in further view of Shirokoshi in order to reduce lateral space within the transmission. With regard to claim 14, Jacqui teaches the tool, wherein the planet wheel carrier 17b of said at least one of the planetary gearing stages is coupled to the output shaft 17. With regard to claims 15 and 16, Jacqui teaches the tool, wherein said sun gear 15 of said at least one of the planetary gear stages forms a part of a planet wheel carrier 14 of a preceding planetary gearing stage.

Response to Arguments

Applicant argues that Jacqui does not teach a power tool. Applicant has not claimed any structural limitations that would preclude Jacqui from being considered a "power tool." Jacqui teaches a powered tool that can be used for applications such as winding up blinds or driving doors. This teaches the required "power tool" limitation.

Applicant argues that the problem solved by the Baker planet gear arrangement is not the same as the present invention. The motivation for improvement does not necessarily have to be the same, as long as the motivation is justified. In this particular case, an improvement in reliability by distributing the work transmitted/absorbed by the parts is a legitimate motivation.

Applicant argues that the "massive ball bearings" of Baker would not be able to be replaced with needle bearings. It is known to one skilled in the art at the time of the invention to replace certain types of bearings with other types as a design choice.

The reduction gearing, the dual spur planet arrangements and the bearings have been taught by the cited art. Applicant's arguments have been considered, but are not persuasive.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

FACSIMILE TRANSMISSION

Submission of your response by facsimile transmission is encouraged. The central facsimile number is (571) 273-8300. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase a patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as the PTO's mail room processing and delivery time. For a complete list of correspondence not permitted by facsimile transmission, see MPEP 502.01. In general,

most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee which applicant is paying by check should not be submitting by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP 512). The following is an example of the format the certification might take:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on _____ (Date)

Typed or printed name of person signing this certificate:

(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the

processing of your application; duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roger L. Pang whose telephone number is 571-272-7096. The examiner can normally be reached on 5:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Roger L Pang/
Primary Examiner, Art Unit 3655

Roger L Pang
Primary Examiner
Art Unit 3655

April 29, 2010